

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 30, 2025**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CHRISTOPHER WALDEN; and

TIFFANY WALDEN,

Plaintiffs,

v.

JOHN PAGSISIHAN, a/k/a BENNY

PAGSISIHAN,

Defendant.

No. 1:24-CV-03173-SAB

**ORDER GRANTING PLAINTIFFS'  
MOTION FOR EXTENSION;  
DENYING MOTIONS FOR  
DEFAULT JUDGMENT; AND  
GRANTING ELECTRONIC CASE  
FILING AUTHORIZATION**

Before the Court are Plaintiffs' Motion for Extension of Service, ECF No. 5; Motion for Entry of Default, ECF No. 8; Motion for Default Judgment, ECF No. 9; and Motion to Obtain Electronic Case Filing Authorization, ECF No. 10. Plaintiffs are *pro se*. The motions were considered without oral argument.

First, Plaintiffs request the Court grant an extension of time to serve the Complaint on Defendant, pursuant to Fed. R. Civ. P. 4. Under Rule 4(m), a plaintiff must serve a complaint within 90 days of filing, which in this matter expired on January 30, 2025. Having reviewed the Motion for Extension of Service, ECF No. 5, the Court finds good cause to grant the extension. Plaintiffs effectuated service on Defendant on February 3 or 4, 2025. ECF No. 6.

Second, Plaintiffs request an entry of default against Defendant. Plaintiffs filed their Motion for Entry of Default, ECF No. 8, and Motion for Default

**ORDER GRANTING PLAINTIFFS' MOTION FOR EXTENSION;  
DENYING MOTIONS FOR ENTRY OF DEFAULT; AND ... ~ 1**

Judgment, ECF No. 9, on February 28, 2025. To properly obtain entry of default, LCivR 55(a)<sup>1</sup> requires a party seeking default provide notice:

**(1) Notice Required.** Written notice of the intention to move for entry of default must be provided to counsel or, if counsel is unknown, to the party against whom default is sought, regardless of whether counsel or the party have entered an appearance. Such notice shall be given at least 14 days prior to the filing of the motion for entry of default. If notice cannot be provided because the identity of counsel or the whereabouts of a party are unknown, the moving party shall inform the Clerk of Court in the declaration or affidavit.

**(2) Declaration or Affidavit Required.** The moving party must show (a) that the party against whom default is sought was properly served with the summons and complaint in a manner authorized by Federal Rule of Civil Procedure 4; (b) that the party has failed to timely plead or otherwise defend; and (c) that proper notice of the intention to seek entry of default, as described above, has been accomplished.

Plaintiffs have not shown the Court they provided Defendant notice of their intent to seek default. As such, the Court denies Plaintiffs' Motion for Entry of Default and Motion for Default Judgment for failure to comply with LCivR 55(a).

Finally, the Court grants Plaintiffs' Motion for Electronic Case Filing, ECF No. 10.

Accordingly, **IT IS HEREBY ORDERED:**

1. Plaintiffs' Motion for Extension of Service, ECF No. 5, is **GRANTED**.

2. Plaintiffs' Motion for Entry of Default, ECF No. 8, and Motion for Default Judgment, ECF No. 9, are **DENIED**.

3. Plaintiffs' Motion to Obtain Electronic Case Filing Authorization, ECF No. 10, is **GRANTED**.

a. Plaintiffs shall adhere to the Local Civil Rules for file formatting

---

<sup>1</sup> See <https://www.waed.uscourts.gov/local-civil-rules-eastern-district-washington>

and processes, found at <https://www.waed.uscourts.gov/local-civil-rules-eastern-district-washington>.

- b. Plaintiffs may contact the Clerk's Office at (509) 458-3400 if they wish to schedule e-filing training.
- c. Plaintiffs may file electronic documents in the above-captioned cause only.
- d. The Clerk's Office will terminate Plaintiffs' ECF Registration should an attorney subsequently file a Notice of Appearance on Plaintiffs' behalf.

**IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter this Order and provide copies to *pro se* Plaintiffs.

**DATED** this 30th day of May 2025.



A handwritten signature in green ink that reads "Stan Bastian". The signature is written in a cursive, flowing style.

Stan Bastian  
Chief United States District Judge